

The result of the vote was announced as above recorded.

#### GENERAL LEAVE

Mr. PRICE of North Carolina. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2892, and that I may include tabular material on the same bill.

The SPEAKER pro tempore (Mrs. DAVIS of California). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 573 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2892.

□ 1536

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, with Ms. DEGETTE in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time. The gentleman from North Carolina (Mr. PRICE) and the gentleman from Kentucky (Mr. ROGERS) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PRICE of North Carolina. Madam Chair, I am pleased to present the fiscal year 2010 Homeland Security Appropriations bill, as reported by the Homeland Security Appropriations Subcommittee. It is the product of extensive information gathering and analysis, with 15 hearings touching every Department of Homeland Security component. The bill provides the resources and the direction that the Department needs for the coming fiscal year.

This bill also reflects our subcommittee's tradition of bipartisan cooperation initiated by its first chairman and now ranking member, HAL ROGERS. I want to thank the distinguished ranking member for his advice and help on making this a better bill, and to his staff, too, for working so closely and constructively with us. We agree on most of this bill, if not every item, and I believe this is a bill that every Member in this body can get behind.

In total, the bill contains \$42.625 billion in discretionary appropriations for the Department of Homeland Security.

This is \$2.6 billion, or 6.5 percent, above the comparable fiscal year 2009 amount, and about 1 percent below the administration request, excluding Coast Guard overseas contingency operations. This level reflects our share of the \$10 billion cut made in the budget resolution to the administration's overall request.

Homeland security requires identification and response to all threats, whether man-made or natural. This "all-hazards" approach is the hallmark of our subcommittee, an approach we are happy to see President Obama and Secretary Napolitano embrace. The persistent threat of pandemic flu is an unmistakable reminder of why we must prepare for all hazards, as is the annual and predictable onslaught of natural disasters, from hurricanes and floods to wildfires and ice storms. Accordingly, this bill will enable our government to better protect the American people against all major threats.

Appropriately for the start of hurricane season, the bill maintains a robust \$844 million for FEMA management and administration, and \$2 billion for disaster relief. In addition, the bill and report specifically place FEMA at the forefront of disaster response management, thereby avoiding confusion when working with our State and local partners.

State and local emergency managers and first responders are equal partners in disaster preparedness and response, and I am pleased that the administration's budget request recognizes this important partnership. This bill strengthens our commitment to our State and local partners by providing \$3.96 billion for grant and training programs, including: \$330 million for Emergency Management Performance Grants, our one true all-hazards grant program; \$950 million for State homeland security grants; \$887 million for the Urban Area Security Initiative, which targets the highest risks of terrorism; and \$800 million for firefighter assistance grants.

Within that \$800 million for firefighter assistance grants, \$420 million is for SAFER staffing grants, or personnel grants, and \$380 million is for basic equipment and training grants. The additional funding for SAFER is part of a targeted and temporary effort to stem the tide of layoffs and ensure our communities are protected by an adequate number of firefighters.

In addition to the increased funding, the supplemental appropriations bill just passed allows the waiver of certain restrictions and broadens the use of SAFER to allow the grants to be used for the hiring, rehiring and retention of firefighters for fiscal years 2009 and 2010.

Madam Chairman, one could make an argument for increasing nearly any account in this bill; but since we can't spend the whole Federal Treasury on homeland security, we must base our priorities on risk. The subcommittee has done this with respect to the iden-

tification and removal of illegal aliens who have committed crimes; in other words, illegal aliens who have proven their capacity to do harm in our communities.

The bill continues the tradition of recent bills by targeting \$1.5 billion of Immigration and Customs Enforcement appropriations for this priority, an effort that the President and Secretary Napolitano wholeheartedly support.

Part of this funding furthers development of the Secure Communities program, which offers a productive approach for Federal immigration agents to work closely with State and local law enforcement while distinguishing the traditional Federal role of enforcing immigration law from the local role of prosecuting criminal violations. We have heard from many law enforcement and community groups about the importance of keeping a bright line between immigration enforcement and local community policing, and the Secure Communities program does just that.

Taking on the international drug cartels along our southwest border is another major priority we support in this bill. The bill enhances funding for CBP and ICE to combat illegal narcotics smuggling from Mexico and the cartels' trafficking in weapons and bulk currency. The bill supports a realistic and strategic approach to southwest border infrastructure and maintains a historically robust Border Patrol force.

Other specific priorities we have funded included: \$800 million for explosive detection systems at airports and \$122.8 million for air cargo security to meet the 100 percent screening requirement for air cargo in the hold of passenger planes by August of 2010; \$804 million to continue developing systems to screen inbound land- and sea-based cargo for weapons or nuclear materials, which includes \$162 million to strengthen overseas operations to monitor and target cargo; \$241.5 million for the Coast Guard to support overseas contingencies in the Persian Gulf and off the coast of Somalia; \$382 million for cybersecurity, to help protect vulnerable computer infrastructure from the escalating sophistication and intensity of cyberattacks; and \$10 million above the administration's request to expand the Alternatives to Detention program nationwide. Alternatives to Detention is a cost-effective alternative for low-risk individuals such as asylum seekers, families, and the elderly.

The bill includes several policy items requested by the administration. It clarifies fee authorities for temporary protected status petitions and visa fraud investigations; it extends the E-Verify program for 2 years; and it continues a longstanding provision related to imported prescription drugs.

As it did last year, this bill contains Member-requested and Presidential earmarks. Each Member's project has

been vetted by DHS and deemed eligible, if part of a grant program, or consistent with the Department's mission otherwise.

□ 1545

We did have to reduce earmarks by 5 percent below last year's level.

This is a good bill, one I hope every Member will support.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Chairman, I yield myself such time as I may consume.

Let me start, Madam Chairman, by commending the chairman on putting together a thoughtful bill. I also want to sincerely thank him for listening to our concerns on this side and for continuing this subcommittee's traditions of bipartisanship, professionalism and, where possible, accommodating the minority's interests.

However, I must also express my grave concern over an issue that casts a long and sad shadow over this important bill. The fact that we are not here today debating this bill under an open rule breaks with long-cherished traditions concerning appropriations bills.

I, for one, am outraged that today's debate on the critical issue of homeland security has been arbitrarily constrained. Such dictatorial tactics are contrary to the very purposes of this Chamber and our legislative process. To add insult to injury, the majority also denies the ability of a hard-working member of our subcommittee, the gentleman from California, and even the ranking member of this subcommittee, to offer amendments on E-Verify. Both amendments were clearly in order, and both amendments pertain to a critical issue that is germane to this bill. To deny us the ability to offer such legitimate amendments is a complete travesty.

Now, as to the FY10 bill, Chairman PRICE has already discussed many of the details, so I will refrain from repeating them. But I think it is important to note that with this bill before us today, the chairman has significantly improved the hand that we were dealt by the administration, a hand that included an extremely late and bureaucracy-laden budget request with huge increases for policy and administrative offices at headquarters at the expense of operations, and also a somewhat tightened 302(b) allocation that is nearly a half billion dollars below the budget estimate. These conditions present a somewhat mixed picture about how this new administration and the current House leadership are prioritizing security nearly 8 years after 9/11.

Indeed, I find it incredibly ironic and disappointing that just 2 weeks ago President Obama released a 77-page strategy on stopping the Mexican drug cartels that professes the need to enhance our intelligence and drug interdiction capabilities, yet his FY10 budget only marginally increases Homeland's intelligence office and Border

Patrol and actually proposes cuts to Customs and Border Patrol's operational assets and Coast Guard personnel. This is a prime example of where the President's rhetoric doesn't match reality.

Given the current threat environment, now is not the time to short-change our investment in security and leave our front-line personnel in the lurch wanting for the tools required to fulfill their mission.

Now, having said all that, I do think the chairman has endeavored to make up for these deficiencies by somewhat scaling back on the administration's plans for more bureaucrats, making some prudent enhancements to operations and producing a pretty good bill for FY10. That's not to say it is absolutely perfect. There are some areas where I would have changed and am concerned about.

One of the concerns I have is the bill's funding levels for operational and surveillance assets. While the chairman has made some enhancements to operations, more could and should be done to equip our operators in the field. With a drug war raging in Mexico and the drug supply lines bustling from South America, we must not only step up operations along the southwest border, but also increase our interdiction efforts in the source and transit zones.

Second, I would be remiss, Madam Chairman, if I didn't clarify my position on a piece of language contained in the report accompanying today's bill. On page 49, the report says "that ICE must have no higher immigration enforcement priority," referring to the identification and removal of criminal aliens. Now, I know the issue of criminal aliens is near and dear to Chairman PRICE's heart, as it is mine. Over the past 2 years, I have supported his efforts in this regard with one major caveat, that an emphasis upon criminal aliens will not come at the expense of other critical immigration and enforcement functions. Every time I hear someone on the other side of the aisle profess that ICE should have no higher immigration enforcement priority than criminal aliens, I must remind them that not one of the 9/11 hijackers could be classified as so-called "criminal aliens" and that all of the 9/11 terrorists exploited the legal immigration system. So immigration enforcement matters to our homeland security, and we must not lose sight of that fact.

Now, in addition to these concerns, I think it is imperative that the homeland security implications of closing the Guantanamo Bay facility be thoroughly addressed. So I am thankful that through a bipartisan effort during our committee markup we adopted my amendment to require the Department to conduct a thorough threat assessment for each and every Guantanamo detainee, to add their names as well to the no-fly lists, and prevent the possibility of immigration benefits being used as a loophole that could lead to the release of these detainees into the United States.

This is a deadly serious issue. We need to know the threat posed by a possible transfer of these terrorists to both our hometowns and to susceptible inmate populations in our prisons across our country. And this need to know is exacerbated by the fact that the President is moving forward with detainee transfers and resettlements as we speak, ignoring Congress' bipartisan, bicameral calls for better planning and risk analysis. The adoption of that amendment is a prime example of how this body can work together in the name of responsible oversight and security, and I believe it's an absolutely vital addition to the bill.

Madam Chairman, it is my hope that we can continue to address these issues and further improve what I believe to be a well-crafted bill. While I have made it clear that it is my intention to support this bill, I will also continue to voice my suggestions for how it can be strengthened.

In closing, let me again voice my disappointment and indignation with the majority's decision to close down a full and open debate on today's bill. This misguided decision by the Democrat leadership clouds what should be a thorough discussion of the safety and security of our Nation.

I look forward to working with the chairman of the subcommittee and the committee as we continue to move the bill through the 2010 process, a process that I hope can salvage some vestige of the long-standing and cherished traditions of open and fair debate.

Madam Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I yield myself 1 minute, to be followed by 4 minutes for a colloquy. But before we go any further in this debate today, I do want to pay tribute to our staff by name. These staff members have worked day and night for weeks now up to the committee markup, and now up to this floor consideration.

Our chief clerk, Stephanie Gupta, Shalanda Young, Jeff Ashford, Jim Holm, Will Painter, Adam Wilson, Matt Behnke; and from my staff, Paul Cox, who spends full time on Homeland Security matters. On the minority side, the able minority clerk, Ben Nicholson, as well as Allison Dieters. We need to again and again thank these staff members, these true professionals, for the way they back up our work.

And now, Madam Chairman, I would like to yield 4 minutes to the gentleman from Colorado (Mr. POLIS) for purposes of a colloquy.

Mr. POLIS. I thank and congratulate Chairman PRICE for his hard work on this legislation. My colleague, Congresswoman ROYBAL-ALLARD, and I would like to engage the chairman in a colloquy for the purpose of highlighting the funding for alternatives to detention in H.R. 2892.

Over the last decade, the United States has spent billions of dollars in the detention of hundreds of thousands of mostly noncriminal immigrants and

asylum seekers. There are, however, viable alternatives to our current detention system, and they are generally more affordable and humane than detention itself.

It is not surprising that Immigration and Customs Enforcement, ICE, has also recognized the need for alternatives to detention, such as the Intensive Supervision Appearance Program (ISAP) and the Enhanced Supervision and Reporting Program, which includes electronic monitoring. The Homeland Security Appropriations Act for fiscal year 2010 funds these smarter and less expensive means of enforcing our immigration laws, allocating \$74 million to expand alternatives to detention programs nationally.

I yield to Congresswoman ROYBAL-ALLARD.

Ms. ROYBAL-ALLARD. Mr. POLIS, I share your concerns about the financial cost of detention, and I am also distressed by the impact our current policies have on families and communities.

Every year, hundreds of thousands of noncriminal immigrants are held in detention. Many of these immigrants are detained for months or years in one of several hundred detention facilities in the country. They often face significant challenges like inadequate access to medical care, legal assistance, and other necessary resources. Separated from their families and communities, they may languish in isolation and fall into depression. In some cases, entire families are held in prison-like conditions. I believe we can do better and have introduced legislation to address many of these concerns.

I commend Chairman PRICE for recognizing the importance of funding alternatives to detention, a major step towards reforming our detention system.

Mr. POLIS. I yield to Chairman PRICE.

Mr. PRICE of North Carolina. I want to thank Representative POLIS and Representative ROYBAL-ALLARD, a fine, hardworking member of our subcommittee, for the work they've done on this issue, for highlighting the financial cost and the human impact of ICE'S current detention policy. I, too, believe we can do better.

While the average cost of detention is about \$100 per person per day, alternative programs such as telephone reporting, unannounced home visits, local office reporting, and electronic monitoring cost, on average, less than \$20 per person per day and are very successful. According to a recent ICE analysis of the program, the Intensive Supervision Appearance Program currently has a 99 percent total appearance rate for all immigration hearings, a 95 percent appearance rate at final removal hearings, and a 91 percent compliance rate with removal orders.

This program has been successful at pilot sites in Colorado, California, Maryland, Kansas, Florida and Pennsylvania; so, therefore, I sought fund-

ing to expand it. Our bill increases the budget for alternatives to detention programs by 16 percent above the President's request.

Mr. POLIS. I thank the chairman for highlighting more cost-effective and humane alternatives to detention and for recognizing the financial and human costs of our current detention system. I want to applaud his leadership as well as that of my colleague, Representative ROYBAL-ALLARD from California, on this important issue.

Mr. PRICE of North Carolina. Madam Chairman, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Chairman, I yield 3 minutes to a very hardworking member of our subcommittee, the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I would like to thank Chairman PRICE and Ranking Member ROGERS for crafting a very thoughtful bill for fiscal year 2010, the Homeland Security Appropriations bill. And I appreciate the recognition of the Air and Marine Operations Center, which is located in my congressional district. AMOC has been foremost in aviation-oriented law enforcement operations and coordinates our operations in the United States. It plays an integral role in protecting us from attack from drug and gun smuggling across our borders.

However, I was disappointed that the extension of E-Verify was reduced from the President's request of 3 years to 2 years. The House overwhelmingly passed a 5-year reauthorization last year, and I think many people would support a permanent reauthorization of E-Verify.

During full committee markup of the bill I offered an amendment but was repeatedly told that a reauthorization of E-Verify would be part of a comprehensive immigration reform bill, which simply makes no sense. A reauthorization of a voluntary program that has existed for 13 years should not be part of an immigration reform debate. Perhaps my friends on the other side of the aisle are confusing reauthorization with mandatory participation in E-Verify, which I support, of course.

However, the thousands of businesses that use E-Verify to comply with existing Federal law and the two States that have made it mandatory deserve assurance that the program will continue to be available.

□ 1600

Furthermore, I would like to clear up some misconceptions about the E-Verify program, which seem to be endlessly repeated.

E-Verify is 99.6 accurate. That's right, only .4 percent of tentative non-confirmations are an error in the data. E-Verify is free to employers. It does not cost anything other than the minutes it takes to sign up for the program to use the system.

My friends on the other side of the aisle repeatedly state that 10 percent of naturalized citizens receive a tentative

non-confirmation. I would like to deliver some good news: That statistic is now down to 6.1 percent. So that means 93.9 percent of naturalized citizens are immediately cleared to work. Of the 6.1 percent that received the tentative non-confirmation, they only need to call a toll-free number to rectify their information.

Other than my disagreement with the length of the reauthorization, I was also disappointed that an amendment I offered in the Rules Committee was ruled out of order. My amendment would have allowed Members to vote on whether the executive order requiring Federal contractors to use E-Verify should not be delayed again. The executive order has been delayed three times for dubious reasons.

Secretary Napolitano has signaled her support for E-Verify, and the people running E-Verify have declared they are ready with the Federal contractor requirement. When it comes to doing business with the Federal Government, which is funded by the American taxpayer, the use of E-Verify should be mandatory.

In closing, I would like to reiterate my support for the bill, but with strong reservations about the majority's actions that has severely restricted amendments and has shut down a once open process.

Mr. PRICE of North Carolina. Madam Chairman, I yield 2 minutes to another fine member of our subcommittee, Mrs. LOWEY.

Mrs. LOWEY. Madam Chair, I would like to thank the gentleman from North Carolina for writing a strong bill that provides much-needed funding for critical initiatives, several of which I would like to mention.

Emergency communication gaps remain for many first responders. The bill includes \$50 million for interoperability grants, \$45 million for the Office of Emergency Communications, and \$80 million for Command, Control, and Interoperability research and development. These important programs will benefit first responders in all of our communities.

The bill also includes \$887 million for the Urban Area Security Initiative, nearly \$50 million more than FY09. This is the only program designed to exclusively assist high-risk urban areas such as New York, and I thank the chairman for substantially increasing its funding.

However, I would be remiss if I did not mention the Securing the Cities Initiative, which is not funded in the bill. This program seeks to prevent the smuggling of illicit nuclear material into Manhattan. The threat of a radiological attack and New York's status as the number one terror target remains, and I hope the bill signed into law includes money for securing the cities. I know there are concerns due to the length of the project and unspent

funds, but I do believe we must do everything we can to prevent what President Obama has called the most immediate and extreme threat to global security.

This is still a good bill, and I thank the gentleman from North Carolina for everything he has done to ensure that our first responders, particularly those in high-risk areas, are prepared for future emergencies.

Mr. ROGERS of Kentucky. Madam Chairman, I yield 3 minutes for the purpose of a colloquy to the gentleman from Washington State, Mr. HASTINGS.

Mr. HASTINGS of Washington. Madam Chairman, I thank my friend from Kentucky for yielding, and I rise to engage in colloquy with Chairman PRICE.

Mr. Chairman, as you quickly know we are quickly approaching the August 2009 deadline to screen 100 percent of the cargo transported on passenger airplanes. I commend you and Ranking Member ROGERS for your work to provide adequate funding to help TSA meet the important requirements without slowing commerce.

The cargo screening requirement has already gone into effect at the Seattle-Tacoma International Airport in the Northwest and other major west coast airports. Cherry growers in my district, who transport half of the cherries they export on passenger aircraft, will only be able to ship their fruit in a timely manner this season because TSA has committed to bringing in resources from other parts of the country. This will not be possible once the 100 percent requirement goes into effect nationwide.

As you know, Madam Chairman, perishable items like cherries can be harmed by screening equipment and even delayed in getting to market. Canine teams have been identified as the most workable way to screen cherries and other perishable items. I was pleased to work with Ms. JACKSON-LEE of Texas and Mr. ROGERS of Alabama to offer an amendment to the TSA authorization bill earlier this month to increase the number of canine teams used for air-cargo screening by no less than 100 teams. This amendment passed the House by a voice vote.

Now, while the TSA authorization bill has yet to be signed into law, Mr. Chairman, is it your intention that TSA utilize funds provided in this bill to train additional canine teams? And I yield.

Mr. PRICE of North Carolina. I thank the gentleman, and I certainly recognize the important role that canine teams play in screening perishable items like fruits and vegetables. It's my intention that TSA use a portion of these funds to train additional canine teams for air-cargo screening.

Mr. HASTINGS of Washington. Reclaiming my time, Mr. Chairman, I would like to thank you for this clarification and again, for the ranking member, Mr. ROGERS, and for your attention to this important issue. I look

forward to continuing to work with you to ensure that the 100 percent air-cargo screening requirement is met 100 percent without unnecessarily harming cherry growers.

Mr. PRICE of North Carolina. Madam Chairman, I yield 3 minutes for the purpose of a colloquy to the gentleman from Illinois (Mr. HARE).

Mr. HARE. I rise for the purpose of entering into a colloquy with the chairman of the subcommittee.

Mr. Chairman, I welcome a colloquy with my distinguished colleague. Mr. Chairman, as you know, my district is home to many levee districts along the Mississippi River.

On February 25, 2009, the Federal Emergency Management Agency issued a new policy on rehabilitation assistance for levees. Under this new policy, levee districts are prohibited from receiving FEMA assistance for flood cleanups, debris removal and dewatering. Instead, the burden for funding critical flood control activities is being shifted away from FEMA to the Corps of Engineers even though, as I understand it, the Corps does not have the authorization or the funding to reimburse the levee districts for these activities.

My community, Mr. Chairman, is concerned that this policy leaves levees and the river communities they protect vulnerable during peak flooding seasons while many are still recovering from last summer's floods. In fact, the Illinois Emergency Management Agency recently reported that a drainage district in southern Illinois was denied reimbursement for debris removal as the direct result of this new policy.

Mr. Chairman, I have contacted FEMA to urge them to reverse the policy and continue assisting levee districts with these costs to avoid further gaps in disaster assistance.

Mr. Chairman, I understand that FEMA and the Corps are working on this issue, but if there is no resolution by the time this bill heads to conference, I may need the assistance of the chairman to resolve this matter.

Mr. PRICE of North Carolina. Well, I thank the gentleman from Illinois for recognizing this important issue. The FEMA policy on levee assistance was intended to clarify the roles and responsibilities of Federal agencies in providing critical flood recovery work.

I understand that the gentleman and the other members of the Illinois delegation have concerns that the policy may not be accurate in its accounting of Federal responsibility and may have the unintended consequence of leaving gaps in assistance for local communities in levee districts. As the gentleman mentioned, FEMA and the Army Corps are reevaluating the policy to ensure there are no gaps in disaster assistance.

I would like to stress this is only a policy, not a rule, so FEMA could easily make adjustments to this document. If changes are necessary, FEMA

should do so in consultation with the Army Corps to ensure accurateness. This issue is also being evaluated with the House Transportation and Infrastructure Committee, the authorizing committee of jurisdiction.

I will monitor the issue as our bill progresses. I will work with the gentleman, the Transportation and Infrastructure Committee, and the Energy and Water Appropriations Subcommittee as we go forward.

Mr. HARE. I thank the chairman, and I thank you again for your attention to this matter. This is a matter of great importance to my district and I look forward to working with you.

Mr. PRICE of North Carolina. I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. I thank the gentleman.

I rise for the purpose of entering into a colloquy with the chairman of the subcommittee to highlight a serious concern with regard to FEMA's subcontracting practices.

Mr. PRICE of North Carolina. I welcome a colloquy with my distinguished colleague.

Mr. GARRETT of New Jersey. Thank you.

Chairman Price, I have constituents back in my district in the State of New Jersey who have highlighted a current FEMA solicitation for risk map production. What it does, it seems to shut out the small and the medium, the small medium-sized businesses. Back after Hurricane Katrina, FEMA was, rightly so, criticized for issuing sole-source contracts to three very large companies. Unfortunately, that pattern seems to be repeating itself.

I agree that updating the Nation's flood map is critical to managing and reducing the Nation's flood risk, but operating the program under a fair and an open competition, I think, will produce the best results for the district, the State and the country as well.

I yield.

Mr. PRICE of North Carolina. I thank the gentleman from New Jersey for highlighting this issue. I agree that the flood-map program is an instrumental tool in reducing the loss of life and property from floods. This subcommittee will work with the gentleman to review the recent contract solicitation.

I am committed to ensuring that DHS invests acquisition dollars in projects that are well planned, competitively awarded, well managed and closely overseen.

Mr. GARRETT of New Jersey. I appreciate the chairman's comments on that. As I said a moment ago, this is not just about the Fifth District or even the State of New Jersey, which has had a number of flooding problems in the past, but this is an important issue for fairness all across the country

to address the issue of flooding across the country as well.

Mr. PRICE of North Carolina. Madam Chairman, I would like to recognize our colleague, Mr. CUELLAR, for 2 minutes.

Mr. CUELLAR. Thank you, Mr. Chairman.

Madam Chairman, I rise in strong support of this bill and Chairman PRICE's manager's amendment, which includes an amendment that I coauthored with my friend, Mr. MARTIN HEINRICH, to reduce government waste, abuse, and inefficiency.

This simple amendment, common-sense amendment, ensures that no taxpayer dollars will be used to purchase first-class tickets for the employees of agencies funded by this bill, except in special circumstances, as allowed by law.

Madam Chairman, it goes without saying that the Federal Government should never use taxpayer dollars for extravagant luxuries and excessive spending. To say that these are difficult economic times is an understatement. There has never been a more important moment for the Federal Government to demonstrate that it is a careful steward of taxpayers' dollars and that it would not engage in frivolous and wasteful excesses.

Just as every American household has gathered around the kitchen table, finding ways to cut costs and reduce waste, the Federal Government has the responsibility to do the same. Fiscal responsibility should be a primary objective of every Member. And as a member of the fiscally responsible Blue Dog Coalition, I will continue to work with my colleagues to address the increasing national debt that we have.

However, it is important that we tackle every cost-saving opportunity, large or small, to meet that goal. I am pleased that Chairman PRICE included this amendment in his manager's amendment. I would also like to thank my colleague from New Mexico, Mr. HEINRICH, for working with me on this issue, and for his dedication on cost-saving issues.

I don't see Mr. HEINRICH here, so I would conclude my remarks.

Mr. PRICE of North Carolina. I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Chairman, could I inquire of the time remaining.

The CHAIR. The gentleman from Kentucky has 14 minutes remaining and the gentleman from North Carolina also has 14 minutes remaining.

Mr. ROGERS of Kentucky. I yield 4 minutes to one of our hardest-working members of our committee and subcommittee, the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Thank you, Mr. Chairman. I want to thank Mr. PRICE of North Carolina.

Our Subcommittee on Homeland Security is, I think, a terrific example of how the Congress ought to operate. I am one of the most dedicated fiscal

conservatives in the House. Our subcommittee is made up of people of very strong beliefs on both sides of the aisle, but we don't work in that committee with regard to party. We don't even mention party labels. I have done my best to really erase that term from my language and focus on what's fiscally conservative and fiscally liberal.

But this committee really has to work on what is good for the Nation. We have to work together in a way, I think, that has—I hope the leadership of the Congress would use the work of this subcommittee, the work of all the subcommittees on Appropriations, as a model.

It's important, I think, for this Congress in this time of record debt and deficit to do what's right for the country, do what's right for the kids and our grandchildren, and focus on ways to be fiscally responsible. At a time of record debt and deficit, at a time when the national debt is now approaching \$11 trillion, at a time when the deficit is at record levels, at a time when the new President has laid out a budget and foresees record debt and deficit as far as the eye can see, we in the Congress have a special responsibility to be guardians of the Treasury, do everything in our power to control spending and avoid unnecessary increases in spending.

And the Homeland Security bill in front of the Congress today is one that was again put together by our subcommittee, Mr. ROGERS, working with Chairman PRICE. Everybody in the subcommittee participated. I am very grateful to you, Chairman PRICE, for working so closely with all of us and putting this bill together.

□ 1615

Without the increase for bioshield, the funding level for Homeland Security is about what—actually, below the level of inflation. At a time when we are under attack from foreign terrorists who are going to use any means at their disposal to sneak into the United States to kill Americans, it's important that we do everything in our power to protect this Nation.

Homeland security is one of those areas where there are no parties' labels, where we have an obligation to work together, and we've done so on this subcommittee. We have profound concerns and differences on the overall spending levels of the appropriations bills as a whole, of the omnibus spending bill that we passed earlier this year, of the spendulus bill that was passed earlier year, of the tremendous unprecedented increases in spending we have seen in this Congress, but on this subcommittee we've all worked together.

I'm particularly pleased to follow my friend from Texas, Mr. CUELLAR. All of us in the Texas delegation have worked together so well in securing our southern border. HENRY CUELLAR and I were elected together, and CIRO RODRIGUEZ, who serves on the subcommittee with me, who represents the Del Rio area.

HENRY and CIRO and I were elected to the Texas legislature in 1986. That friendship that we formed from 1986 has served us well today. And we've worked together in establishing a program called Operation Streamline, a zero-tolerance program where we are enforcing in Texas existing law, with largely existing resources, to arrest and prosecute essentially everybody that crosses the border illegally between Del Rio and Zapata County, with a result that the crime rate has plummeted. In Laredo, they have seen about a 60 percent drop in the crime rate; in Del Rio, over 70 percent drop in the crime rate; and the lowest level of illegal crossings since they began to keep statistics.

This is a piece of good news the Nation needs to hear, that our border is far more secure in Texas because we're enforcing existing law, applying common sense, and working together in a partnership between State and local authorities and the Federal authorities.

We have, in Texas, I think, demonstrated that Texas, we always keep Texas first in our minds regardless of party. And I want to thank the chairman and our ranking member for putting together a bill that focuses on national security and includes the interests of all Members from all parts of the country.

Mr. PRICE of North Carolina. Madam Chairman, I would like to yield 2 minutes to one of our outstanding new Members from Florida, Ms. KOSMAS.

Ms. KOSMAS. I rise today in support of the 2010 Homeland Security Appropriations Act, a bill that will improve the safety and security of our cities, ports, borders, and air travel.

This bill also provides important funding for our first responders on the front lines of emergencies through State and local grants, including the Metropolitan Medical Response System. I would like to thank Chairman PRICE and Ranking Member ROGERS for including my amendment to increase funding by \$4 million for this vital program in the manager's amendment.

Increasing funding over fiscal year 2009 will help ensure that high-threat, highly populated communities such as the Orlando metropolitan area will be better prepared to respond when faced with emergencies, whether it be a terrorist attack, an epidemic disease outbreak, or a natural disaster.

The MMRS program assists 124 highly populated jurisdictions across the country in their efforts to coordinate among law enforcement, fire, EMS, public health, and emergency management agencies. It allows these jurisdictions to develop response plans, conduct training and exercises, and acquire personal protective equipment to respond most effectively to emergency situations.

I believe, and I think we all believe, that preparedness is the key to mitigating disasters, and this additional funding will ensure that our local

emergency responders will be better able to protect their citizens and to reduce damages.

Mr. ROGERS of Kentucky. Madam Chairman, I yield such time as he may consume to a hardworking Member of this Congress, the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. I do thank the gentleman from Kentucky for yielding me this time. I want to say, first of all, and express my appreciation to Chairman PRICE and to Ranking Member ROGERS. They certainly are two of the hardest working Members we have in this Congress and two men whom I admire the most and for whom I have the greatest respect.

I want to say that, overall, I think these leaders have produced a very good bill, particularly in regard to aviation security. That's something in which I have a great interest because I did chair the Aviation Subcommittee for 6 years, and I know they have greatly increased the security at the airports and so forth.

In fact, I will be offering an amendment a little bit later that does freeze the appropriation for the Air Marshal Service, which I do feel, as one high-ranking TSA official told me 2 days ago, is sort of gilding the lily. And I think it's a very unnecessary, useless part of the Federal Government and of this bill.

But, overall, I think it's a very fine bill. And I particularly want to thank Chairman PRICE and Ranking Member ROGERS for the work that they're doing in regard to cybersecurity, because from everything that I have read over these last few years, that is going to be one of the areas that is going to be the most troublesome to this country in the years ahead.

And so, Madam Chair, I will simply say that I want to express my appreciation to Chairman PRICE and Ranking Member ROGERS, and particularly the staff that has worked so hard on this legislation.

Mr. PRICE of North Carolina. Madam Chairman, I yield 2 minutes to the gentlewoman from Arizona (Mrs. KIRKPATRICK).

Mrs. KIRKPATRICK of Arizona. Madam Chairman, I rise to engage Chairman PRICE of the Homeland Security Subcommittee in a colloquy.

Mr. PRICE of North Carolina. I am pleased to enter into a colloquy with my distinguished colleague from Arizona.

Mrs. KIRKPATRICK of Arizona. Madam Chairman, Mr. Chairman, over the past several years we in the Southwest have witnessed a dramatic rise in illegal activity along our border. The new leadership at the Department of Homeland Security is committed to cracking down on this problem, and Federal law enforcement on the ground is doing an excellent job of putting the new plan into action.

One organization with a pivotal role in our border efforts is Customs and Border Protection, CBP, Air and Ma-

rine, which provides critical air support to CBP officers and Border Patrol agents. This air support is an unrivaled resource in our fight to keep our borders safe.

Unfortunately, I have repeatedly heard frustration from agents in my district that air resources are in short supply and are often not available to agents on the ground.

Mr. Chairman, it is important that we work to resolve this issue, whether by better management of existing resources or by increasing those resources. Therefore, as this bill heads toward conference, I ask your support in making sure these important questions are addressed and answered.

Mr. PRICE of North Carolina. I appreciate the gentlewoman's strong commitment to securing our Nation's borders and her hard work on this issue as a Member from a border State and a member of the authorizing committee on Homeland Security.

I assure her I will work with her to provide information about how it meets requests for air support on the border, as well as any program changes or resources required to optimize CBP Air and Marine effectiveness at the border.

Mrs. KIRKPATRICK of Arizona. Reclaiming my time, I wish to thank the distinguished chairman and his staff for working with me on this important issue.

Mr. ROGERS of Kentucky. Madam Chairman, I would like to recognize now for such time as he may consume the ranking Republican on the full Committee on Appropriations, the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Thank you very much for yielding me the time. I really rise for a couple of reasons to speak generally about this bill.

First is to say that the two people who are providing the leadership for this bill are as fine of members of the Appropriations Committee as there are. Chairman PRICE is one of those people who digs into issues, does his homework. He treats people in a fair and balanced way. Beyond that, he's a fabulous person to be associated with in the Appropriations Committee.

HAL ROGERS, on the other hand—let's see, what can I say about HAL ROGERS? A wonderful Member from Kentucky, who also in this arena knows as much about this subject as anybody that I know.

One of the things that's disconcerting to me about this bill, for it is one that perhaps addresses the most important area of responsibility we have, that is, protecting our homeland. Combine this bill with our national security measure and that is our national defense and America's ability to protect freedom in the world. But, indeed, it's interesting to note that at a subcommittee meeting recently, I spent some time dealing with another bill, an area that the public isn't always so supportive of, namely, the foreign assistance or foreign aid bill.

And it came to my attention in this process and exchange that the foreign aid bill that will be coming to the floor very soon is approximately \$10 billion more than our Homeland Security bill. Think about that.

We're in a condition where people, to say the least, here at home are pressed to the wall, all kinds of concerns besides the economy, concern about our security here at home. And they don't always stand up intently to say we've got to be sending our money overseas in the form of foreign aid. In this arena, the Homeland Security bill has almost \$10 billion less in it than the foreign aid bill. Now, it's a very interesting commentary, to say the least.

Beyond that, let me mention to both the chairman and the ranking member, California, of course, has lots of border. Later on, I will have an amendment relative to border security. But, indeed, I know many of the Members who are listening to this discussion today are worried about their own borders in their home territory.

If we cannot advance technologically and by way of funding our ability to protect our homeland and be dead serious about it, projecting over a 10-year period, then we're making a very big mistake in this House.

The work that's done by our chairman and our ranking member has produced a very fine product. They really have balanced, within the limited means that they have, the priorities that I think I would apply myself. But, indeed, I want the Members to know that there is still a lot of work to do.

And, one more time, congratulations to both HAL ROGERS and to our chairman.

Mr. PRICE of North Carolina. Madam Chairman, I would like to yield 2 minutes to a distinguished subcommittee member from the authorizing committee, our colleague, the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I offer my appreciation to the appropriators, Mr. PRICE and Mr. ROGERS, and would ask that as we make our way through this process that we continue to collaborate and work on issues that will move forward the whole issue of security and safety.

Quickly, I would hope that as we move through conference we'd have an opportunity to ensure that the Office of Risk Management is, in fact, the lead office that analyzes the issue of risk, risk-based assessment as it relates to security.

But, Mr. Chairman, Chairman PRICE, I would like to speak to you specifically about the Transportation Security Authorization bill, which just about a week or so ago was passed with a reemphasis or a new emphasis on the security of surface transportation.

We know that just a few days ago we had an enormous tragedy here in Washington, D.C. That question may have fallen upon the issue of safety, but it could have been an issue of security, an issue dealing with terrorism. And we



know, as it relates to the Department of Transportation safety inspectors for rail, pipeline, and highway, there are over a thousand of them; but as it relates to security, transportation security, a mere 175.

Of course, you know I had an amendment that would have simply moved \$4 million in order to ensure that we would have an increase in safety or security inspectors under the Transportation Security Administration pursuant to the legislation that was passed by this House.

I would like to continue to work with the appropriators as this bill moves toward conference and moves toward the Senate. And I would ask the chairman, I would like to yield to him, that we have a focus on the authorizing language that says that we need to do more with respect to security for surface transportation, rail, buses, trains, and other resources, and work with him to ensure that we would have dollars to increase the number of transit security inspectors.

I yield to the gentleman.

□ 1615

Mr. PRICE of North Carolina. I thank my colleague for her good work on this issue and her very effective pointing out of our unmet needs in the area of surface transportation security. I do, indeed, pledge to work with her as we move toward conference to see what kind of resources we can identify.

Ms. JACKSON-LEE of Texas. I thank the chairman.

Mr. ROGERS of Kentucky. I yield 2 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. I thank the gentleman for yielding.

Madam Chair, last night we were in Rules on, I believe, a very important amendment that Mr. MINNICK and I offered. It was really to save jobs; and it was also really to put a hold on what was happening with Homeland Security and also what was going on with the folks at Customs, trying to put forward a regulation, a rule that's going to put Americans out of work.

At the same time it's also not only going to put Americans out of work, but we're looking at 35 million Americans that have a certain type of knife. I do not believe that a rule should be done that Congress in 1958 defined what a certain type of knife was. So last night of course we were there, and we shouldn't have been there. We should have been here on an open rule and with an amendment on the floor and not in the Rules Committee because this is important.

Again, as I said, this is going to cost jobs, jobs at the Buck Knife Company up in the northwest part of the United States—hundreds of jobs. It's estimated that over 4,000 individuals in this country could be affected just in the knife industry alone. Not only those 4,000 individuals there, but there is about 20,000 other ancillary jobs out there. That's why it's so important we should be talking about this. But unfortunately, again, where we were last night, we weren't doing what we should

have been doing. We should have had the amendment here on the floor because I believe it's absolutely important that we make sure the House is headed in the right direction, the way it should be going; and that's through the process that we should be in, the normal process, not the process that we're in today.

But I thank the gentleman for yielding because I think that the debate that we're in is very, very vital to this country.

Mr. PRICE of North Carolina. Madam Chair, may I inquire how much time we have remaining?

The CHAIR. The gentleman from North Carolina has 8½ minutes remaining. The gentleman from Kentucky has 3½ minutes remaining.

Mr. PRICE of North Carolina. We have no further speakers on the floor at this point. There may be one on the way.

I would like to reserve the balance of my time.

Mr. ROGERS of Kentucky. I yield myself the balance of my time.

You know, since 9/11 I think we've come a long way in securing the country. It's been 8 long years. Laborious tasks have been undertaken. First, the formation of the Department of Homeland Security, attempting to merge some 22 different agencies of the government into a single agency under the umbrella of the Department of Homeland Security. And yes, we've made progress—I think substantial progress—in aviation security and the protection of goods coming into the country by container box. We've made substantial gains across the board in securing our American homeland. But we're still a long way from being where we need to be.

It seems like it's been terribly slow in many of the areas that we need to work on. But you know, it's amazing to me. I was just reading a book about World War II and just how quickly the Nation responded to the attack on Pearl Harbor, 1941. In just 4 years, Madam Chair, half the time since 9/11, the Nation geared up and produced 6,500 ships. It produced some 300,000 airplanes, hundreds of thousands of tanks and rifles, ammunition, warships, liberty ships, transport ships, thousands upon thousands of howitzers and weapons of war in just 4 short years. And we've had double that time since 9/11 to gear up for the protection of the country from the newest threat in the globe.

And yes, I am disappointed at times about the progress that we lack. But I've got to say that we've got some very brave people in all these agencies that now make up the Department of Homeland Security, that take their responsibilities deadly serious. They work hard; they don't get much thanks from anyone for the good work that they do; and we should take a moment the next time we go through an airport and thank that TSA worker or that Coast Guard worker or that FEMA helper in our home districts. I recently had the great opportunity to thank the

FEMA response to a terrible flood in my district over Mother's Day weekend. But we need to thank these people because they don't get much of that, and they are doing a great service in defending us on our home turf.

With that, Madam Chair, I yield back the balance of my time.

Mr. PRICE of North Carolina. I want to thank our distinguished former chairman and ranking member for those remarks. He is a student of history, as he's just demonstrated. He came to this subcommittee as its founding chairman with a great deal of understanding of just how big this challenge was after 9/11, bringing these 22 agencies together, but also with an instinct for how to put it all together and make this department work. We've made great strides. I agree with him also on the work yet to be done, of course, but over these 7 years we can look back on considerable progress.

Mr. ROGERS talked about the careers of civil servants and others, the Border Patrol agents, Coast Guard men and women, the people who staff these agencies every day. One of the benefits of the process we had this year, holding more broad-gauged hearings before we had a budget and before we had the agency heads in place, was for us to get a closer look at some of these career people and the good work they've done. We took a broader look at agency operations and gained some appreciation for what is being achieved and a better fix on some of the things that we need to improve.

I hope and believe that our bill reflects that experience. It has been put together in a cooperative fashion. We look forward to taking it on from the House today and, by the start of the new fiscal year, being ready to put the program we envision in place. We're delighted to work with the new Secretary and the President's appointees at the agencies who are now assuming their roles. This bill today, I'm confident, is a very positive step in the process of putting this department's program together in cooperation with the new administration for the benefit of all Americans.

Mr. TIAHRT. Madam Chair, I rise today to express my concern regarding the provisions of this bill relating to the National Bio- and Agro-defense Facility, NBAF. The threats facing this country are numerous and varied. With the intention of closing the research facility at Plum Island, NY, it is imperative that a new research facility be constructed as quickly as possible.

This is one of the many reasons why officials at the Department of Homeland Security selected Manhattan, Kansas, as the site for the new NBAF research center. Kansas State University is already home to a Biosafety Level 3, BSL 3, research facility, which means that right this minute the Plum Island facility could be relocated, with minimal disruptions in its critical research.

Construction is ready to begin on the new BSL 4 NBAF facility. State and local funding is already in place to assist in the development of the facility. The only thing lacking is action by those in Washington.

This bill, however, ignores not only the requests made by myself and other Members representing the great State of Kansas, but

also the decision of the Department of Homeland Security. By not funding NBAF, this bill leaves our nation and its food supply vulnerable to dangerous diseases, including Rift Valley Fever and African Swine Fever. Furthermore, it allows live cultures of these and other dangerous diseases to remain in facilities at Plum Island that DHS defined as, "reaching the end of its life cycle."

In refusing to fund construction on the new NBAF site in Manhattan, the Committee raised concerns over the risk of diseases, particularly Foot-and-Mouth Disease, FMD, being released into the heart of livestock country. On that issue let me point out that DHS was aware of this risk when Manhattan, Kansas, was selected as the new site, and is already taking steps to address these concerns by an anticipated threat assessment which should be released shortly.

I sincerely hope that as this bill works its way towards the Conference Committee that funding for construction of the new NBAF facility can be included. I have spoken with the Chairman and Ranking Member, and have their assurances that once these concerns are addressed, they will take steps to fund this critical program. I look forward to working with my colleagues on the Committee to ensure that our nation remains protected from dangerous diseases.

Ms. ROYBAL-ALLARD. Madam Chair, I rise today in strong support of the fiscal year 2010 Homeland Security Appropriations bill.

One of our government's foremost duties is to protect the American people.

Fulfilling that critical mission falls to the men and women of the Department of Homeland Security and, as Members of Congress, we have an obligation to provide them with the resources they need to meet the challenge of defending our nation.

Able led by Chairman DAVID PRICE and Ranking Member HAL ROGERS, the Homeland Security Subcommittee has crafted legislation that does just that. It allocates more than \$42 billion to equip our Border Patrol officers, baggage screeners, customs agents and Coast Guard captains to successfully combat the threats America faces.

Like President Obama, we understand that even in a tough fiscal environment, with so many pressing priorities competing for the same scarce tax dollars, the Department deserves funding that reflects the scale of its responsibilities.

Of course, our success in meeting America's security challenges depends on more than the size of the Department's annual appropriation. Just as important is the strength of its planning and the effectiveness of its leadership.

Accordingly, the bill provides a sound blueprint for responsibly managing an organization that encompasses more than 200,000 employees at 22 different agencies. Drawing on the expertise of GAO, the DHS Inspector General and stakeholders both in government and private industry, the legislation successfully matches resources and risks, ensuring a balanced approach to protecting our most sensitive infrastructure. For example, in the wake of the London and Madrid bombings, it will ensure that our vulnerable transit systems are no longer neglected by providing \$103 million for surface transportation security.

Just as importantly, the bill also takes meaningful steps to address the injustices inherent in our broken immigration system.

Under the previous administration, instead of pursuing violent felons, Immigration and Customs Enforcement, ICE, elected to fill its arbitrary quotas by seeking out working immigrants who posed no threat to their communities. Since 2002, the deportation of non-criminals has increased by 400 percent while criminal deportations are up only 60 percent. This bill sensibly shifts ICE's primary enforcement target from families to felons.

In addition, the bill responds to reports of asylum seekers denied medical attention and children subjected to lonely nights in border jails by imposing stronger oversight on detention centers and expanding alternatives to incarceration for vulnerable immigrants.

These provisions are vitally important and they point to perhaps the bill's greatest strength: the recognition that we can protect the American people without violating their rights or compromising our ideals.

I thank the Chairman and his staff once again for their excellent work on this crucial legislation and urge its swift passage.

Mr. VAN HOLLEN. Madam Chair, I rise in support of the Homeland Security Appropriations Act of 2010. This bipartisan legislation funds the homeland security priorities of the country and strengthens our commitment to our state and local homeland security partners.

To help address the unique security needs of our high-risk urban areas, such as the Washington Capitol Region, the bill requests \$887 million for Urban Area Security Initiative grants. These grants fund the security services and equipment needs of the nation's highest-threat, high-density areas and helps to ensure that our state and local leaders have the resources they need to protect these areas from terrorist attack.

In addition to appropriating funding to secure our passenger rail and air and sea ports, the bill provides funding for interoperable communications and for the nation's emergency operation centers. For our firefighters and other first responders, the bill adds \$800 million for assistance grants for training and equipment. These funds will also be used to stem the tide of layoffs that are weakening our fire services and putting the public's safety at increased risk.

The House considers this bill just two days after the Washington Capitol Area experienced one of the worst passenger rail tragedies in our nation's history. We owe a debt of gratitude to the first responders who arrived from across the region to provide aid and comfort to the victims of this tragedy.

By funding these and other important programs, the Homeland Security Appropriations Act of 2010, helps make our country more secure in times like these. I encourage my colleagues to join me in support of this vital piece of legislation.

Mr. PRICE of North Carolina. Madam Chair, I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

No amendment shall be in order except the amendments printed in part A and B of House Report 111-183, not to exceed four of the amendments printed in part C of the report if offered by the

gentleman from Arizona (Mr. FLAKE) or his designee, and not to exceed one of the amendments printed in part D of the report if offered by the gentleman from California (Mr. CAMPBELL) or his designee. Each amendment shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question. An amendment printed in part B, C, or D of the report may be offered only at the appropriate point in the reading.

After consideration of the bill for amendment, the Chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

The Clerk will read.

The Clerk read as follows:

H.R. 2892

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I—DEPARTMENTAL  
MANAGEMENT AND OPERATIONS  
OFFICE OF THE SECRETARY AND EXECUTIVE  
MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, \$147,427,000: *Provided*, That not to exceed \$60,000 shall be for official reception and representation expenses, of which \$20,000 shall be made available to the Office of Policy solely to host Visa Waiver Program negotiations in Washington, DC.

PART A AMENDMENT NO. 1 OFFERED BY MR.  
PRICE OF NORTH CAROLINA

Mr. PRICE of North Carolina. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A Amendment No. 1 offered by Mr. PRICE of North Carolina:

Page 2, line 9, after the dollar amount, insert "(reduced by \$17,000,000)"

Page 2, line 18, after the dollar amount, insert "(increased by \$5,900,000)"

Page 5, line 20, after the dollar amount, insert "(increased by \$4,900,000)"

Page 39, line 21, after the dollar amount insert "(increased by \$7,000,000)"

Page 40, line 10, after the dollar amount insert "(increased by \$3,000,000)"

Page 40, line 14, after the dollar amount insert "(increased by \$3,000,000)"

Page 40, line 20, after the dollar amount, insert "(increased by \$4,000,000)"

Page 44, line 25, after the dollar amount insert "(increased by \$10,000,000)"

Page 45, line 1, after the dollar amount insert "(increased by \$10,000,000)"

At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available under this Act may be used to close or transfer the operations of the Florida Long Term



Recovery Office of the Federal Emergency Management Administration located in Orlando, Florida.

SEC. . None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301-10.122 through 301.10-124 of title 41, Code of Federal Regulations.

SEC. . No funds appropriated by this Act may be used to impose any negative personnel action against any Department of Homeland Security employee who engages with the public in the course of the employee's duties, for the use of surgical masks, N95 respirators, gloves, or hand sanitizer.

The CHAIR. Pursuant to House Resolution 573, the gentleman from North Carolina (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PRICE of North Carolina. Madam Chair, I yield myself as much time as I may consume.

My amendment, I believe, is non-controversial. It includes a number of amendments put forth by other Members that we believe would be good additions to the bill, including: First, additional funding for the Firefighter grant program that draws on proposals from Representatives ALTMIRE, PASCRELL, AUSTRIA, PETER KING and BIGGERT; additional funding for non-profit security grants, from Representatives COHEN and WEINER; additional funding for the Metropolitan Medical Response System, from Representative KOSMAS; additional funding to implement the Western Hemisphere Travel Initiative, from Representative MITCHELL; ensuring that DHS employees who interact with the public can use personal protective equipment without negative personnel action, from Representative LYNCH; a prohibition on funds in this bill being used for first-class travel, with certain exceptions, from Representative CUELLAR; and a prohibition of funds in this bill from being used to close or transfer operations of a FEMA recovery office, coming from Representative HASTINGS.

All increases are appropriately offset elsewhere in the bill. While the bill includes earmarks in it, which have been properly disclosed according to House procedures, this amendment does not contain any congressional earmarks. I ask Members to support this amendment.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Chair, I rise to claim the time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Madam Chair, it saddens me that the long-standing cherished traditions of debate within this Chamber have come to this—a so-called manager's amendment that is more about limiting the time on today's debate and placating the interests of Democrats than truly improving this bill. So I rise in opposition to this amendment, not on the substance of the amendment itself, mind you, but on the flawed and misguided

procedure under which it is being offered. We seldom do manager's amendments on appropriations bills on the floor; and when on the rare occasion that we have, it's been a true manager's amendment, one that is non-controversial and bipartisan. This amendment meets the interests of nine Democrats, and the minority was never consulted on the substance and construction of this amendment—never.

Furthermore, this amendment includes a provision that would be subject to a point of order during a normal debate to make this provision in order, then included in this flawed amendment. And finally, denying other Members the right to offer their amendments that were clearly germane and in order, including one of this ranking member. It's beyond the pale.

The majority also denies the ability of a hardworking member of our subcommittee, and myself as well, an opportunity to offer an amendment on E-Verify, the way that employers in this country can be sure that an applicant for work is not an illegal alien. Both amendments were clearly in order. Both amendments pertain to a critical issue that's germane to this bill. To deny us the ability to offer such legitimate amendments is a complete travesty, especially in light of this amendment before us.

So it is clearly not a manager's amendment, in my view. Instead, it's a vehicle for the majority to further ramrod this bill off the floor through what is perhaps the most closed and arbitrarily constrained debate I have seen in my 28 years or so in Congress.

□ 1645

I am very troubled by the road the majority is heading down with actions such as this, actions that muddle what should be an open debate on one of the most critical bills that this body will consider this year. Today should be about our homeland security, not partisan politics.

I urge Members to reject this flawed procedure and oppose this misnamed manager's amendment.

Madam Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I would like to yield 1 minute to one of the sponsors of one of these amendments that has been included in this chairman's amendment, Representative ALTMIRE, who has been working very hard on the firefighter grant program.

Mr. ALTMIRE. I thank the chairman for yielding.

I want to highlight the one provision which I worked hard to put into this manager's amendment. I can think of few that are more deserving and in need of support under this Homeland Security bill than our Nation's first responders. In particular, volunteer firefighters represent all walks of life and are part of the fabric of nearly every community in this country.

The most important source of Federal assistance for our local fire-

fighters is the Assistance to Firefighters Grant Program that has provided for so many fire companies over the years. Volunteer firefighters make every sacrifice for our communities and are always on call; so it's the very least we can do to make certain that they're as safe and well protected as possible.

That's why I add the language to this bill to shift \$10 million in funding over to the firefighter grants program. This funding will help hundreds of fire companies across the Nation make the necessary equipment and vehicle upgrades that are so critically needed.

I thank the chairman for including in the bill my language to increase funding for our Nation's volunteer firefighters, and I ask my colleagues to support it.

Mr. ROGERS of Kentucky. Madam Chairman, I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I would like to yield 1 minute to the gentleman from Tennessee (Mr. COHEN), who likewise is the initiator of one of our amendments.

Mr. COHEN. Madam Chairman, this amendment, which I appreciate being incorporated into the manager's amendment and was also sought in a similar fashion by Mr. WEINER of New York, would include language to increase funding to the Urban Areas Security Initiative Nonprofit Security Grant program. The Urban Areas Security Initiative Nonprofit Security Grant program is an important program that helps fund support for the not-for-profits that could be subject to attack. Nonprofit organizations often are like hospitals, which are vital to our communities' ongoing security and safety, especially if there is an attack that can spread terror and havoc on a community if they are attacked. And if you have research facilities attacked, there are other concerns in the community. The nonprofit entities can include hospitals and historic landmarks.

In my community of Memphis, which I hope has an opportunity to share, there's the Med, there's St. Jude Children's Research Hospital, and other great hospitals. New York has many too; and that's why Mr. WEINER, I think, was interested in this. And the terror that could be spread by attacking a museum or a library and sending panic through the community could be very disastrous to the well-being of the people in that community and in the Nation.

So hopefully the increase in this funding will help our cities secure their funds and secure their facilities. I would like to thank the chairman for the addition of the funding and the support for the additional \$3 million for the Urban Areas program. I would like to thank Mr. PRICE and the committee for their work in including it in the manager's amendment.

Mr. PRICE of North Carolina. Madam Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. ROGERS of Kentucky. Madam Chairman, I object to this amendment on procedural grounds. It's not a bipartisan amendment as manager's amendments are supposed to be, so I urge a "no" vote.

Mr. LYNCH. Madam Chair, I thank the gentleman from North Carolina for his work on this bill. I also thank the Chairman for incorporating my amendment into the manager's amendment and for giving me time to speak.

My amendment to H.R. 2892, the Department of Homeland Security Appropriations Act would afford D.H.S. workers the right to voluntarily don and access personal protective equipment (PPE), including surgical masks, the N-95 respirator, gloves and hand sanitizer without fear of reprisal.

Given the reluctance on the part of D.H.S. to address the voluntary use of personal protective equipment amidst the H1N1 flu outbreak, as Chair of the Federal Workforce Subcommittee, it has fallen on my shoulders to ensure the health and safety of Federal employees—especially frontline Federal workers at D.H.S. who are tasked with the tremendous job of keeping the American public safe.

In my opinion it is unconscionable that our workers have been repeatedly denied the use of these protective items—and even threatened with disciplinary action for attempting to protect themselves from a communicable disease that has resulted in the World Health Organization, WHO, declaring its highest pandemic alert possible—Phase Six. Further, it is alarming that D.H.S. has been unable—or unwilling—to issue and to distribute comprehensive, written guidance on the voluntary usage of PPE to its own employees during a public health emergency.

Federal workers such as Transportation Security Officers, TSOS, U.S. Customs and Border Patrol Officers and Border Patrol Agents, and ICE Agents who work in high risk areas and come in contact with thousands of individuals per shift deserve better. C.B.P. Officers working at the Laredo, Texas port of entry and the Otay Mesa port of entry in San Diego, CA, can screen over 5,000 individuals per shift and have been routinely threatened for asking to wear masks. The nineteen-month-old baby of an ICE agent in Miami, Florida, who works at the Krome Immigration Service Processing Center which has six confirmed H1N1 flu cases, has been diagnosed with the H1N1 virus. I simply cannot fathom why these workers are not being supported, but I am committed to ensuring that common-sense policies are implemented at D.H.S.

It is essential that Federal agencies implement adequate and uniform worker protection policies for the employees who protect the Nation as part of their daily duties. These are the very employees who will be called upon to respond in the event of an emergency. Without such policies, not only is the health of front line employees being put at risk, but the health of their families and the general welfare of the public is also placed at risk. In short, the Federal Government cannot ably respond to emergencies if the very personnel needed as part of that response are themselves compromised.

I thank Chairmen PRICE and THOMPSON for their support of this amendment.

Mr. ROGERS of Kentucky. Madam Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. PRICE).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. ROGERS of Kentucky. Madam Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

PART B AMENDMENT NO. 5 OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 5 offered by Mr. LEWIS of California:

Page 2, line 9, after the dollar amount, insert "(reduced by \$6,000,000)".

Page 2, line 18, after the dollar amount, insert "(reduced by \$14,000,000)".

Page 3, line 7, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 3, lines 14 and 16, after each dollar amount, insert "(reduced by \$18,000,000)".

Page 5, line 20, after the first dollar amount, insert "(increased by \$34,000,000)".

The CHAIR. Pursuant to House Resolution 573, the gentleman from California (Mr. LEWIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Madam Chairman, as I proceed with this amendment, I want to one more time associate myself first with the remarks of my ranking member regarding the manager's amendment but, in turn, express my deep respect and appreciation for the two gentlemen handling this bill. Chairman PRICE and my colleague from Kentucky have worked very professionally together and I think this House would be served well if we extend it to all of our subcommittees.

The amendment which I have at the desk is a relatively simple amendment. I rise to restore some balance to what otherwise is a thoughtful and very constructive bill.

My amendment takes a small fraction of funding, increases recommended for administrative expenses, and adds 200 new Border Patrol agents out of that transfer of funding, agents that will serve on the front lines of the bloody drug war raging in Mexico and produce increased security across our borders from entry by way of smugglers and people who are coming here for other sorts of contraband activities.

My amendment seeks to increase the resources for those who are charged to keep our Nation safe and secure as well as ensnare money and illegal weapons flowing southbound; resources that will fulfill the promises repeatedly made by President Obama to both the American people and the courageous Mexican Government in their fight against the cartels.

In fact, it was just 2 weeks ago that the President unveiled a new strategy

on securing the southwest border and fighting the cartels, a strategy that calls for sustained enhancements to border security and counternarcotics activities.

The President's budget request calls for only 44 new agents. That's right, only 44 new agents. Contrast that with the 2,500 additional agents this Congress funded just last year; 44 new agents in this bill, 2,500 additional agents last year. How can we support such a flattening of this crucial security asset? How can we risk a reduction in the size of the Border Patrol when our border security needs are so great and the agent attrition rate is now creeping up to about 11 percent?

The decision to fund what is essentially a current services budget for Border Patrol comes in conjunction with a request for more than a 30 percent increase in administrative, policy, and bureaucratic functions at DHS. Talk about getting your priorities all wrong. Think about that, 11 percent versus 30 percent. Clearly a higher priority ought to be given to border security by way of more personnel.

At a time of such obvious need in the face of a bloody and all too real drug war, now is the time to follow through on border security, not plateau and rest on our laurels.

As Ranking Member ROGERS has often pointed out, Chairman PRICE has done a laudable job scaling back the President's request for more bureaucrats and made some rather prudent enhancements to operations in this bill. However, the Border Patrol agents are not increased above the request, and I think it is something this Chamber should weigh in on heavily.

So my amendment seeks to add 200 agents while asking the DHS administrative offices to get by on no more than a 14.8 percent increase, an increase that is more than sufficient and one that many of us probably think is too high during the current fiscal climate.

My amendment simply asks what's more important: resources to provide our operators and watch guards in the field or added bureaucracy? We have all read the terrible stories of the brutal murders in North Mexico. Let's follow through on our commitment to secure our borders, stop the advance of the cartels' influence, and improve on our homeland security.

I urge the Members to support this amendment.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. LEWIS of California. I'd be happy to yield.

Mr. ROGERS of Kentucky. I want to congratulate our leader for this very adequate amendment that will help us on the border where the drug war wages, and we can use that personnel. The meager increases in the number of agents the gentleman has referred to in the bill needs to be increased, and the gentleman's amendment does just that, and I congratulate him and support it fully.

Mr. LEWIS of California. I appreciate very much my colleague's speaking on my amendment.

Madam Chairman, I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chairman, this is an amendment that the Department of Homeland Security did not request and does not support.

I do, however, want to salute the distinguished ranking member for his support of the Border Patrol. That support is widely shared in this body, on both sides of the aisle. But as the honorable ranking member knows, this committee has been fully a part of that effort to build up the Border Patrol. We're second to none in supporting, on a bipartisan basis, robust increases in Border Patrol numbers in recent years. We have dramatically enhanced border enforcement measures overall.

Since the start of the 110th Congress, we have funded an increase of 5,100 agents. That's a 33 percent increase over the number funded through 2007. By October of this year, CBP will have 20,019 Border Patrol agents. That's more than double the workforce in 2003.

A level of 20,000 agents has been a bipartisan goal. Both the current and the prior administrations used it as a target. Indeed, the Republican majority in its report on the 2007 DHS authorization bill affirmed this when they wrote, and I'm quoting: "It's estimated that a force of 18,000 to 20,000 agents will be necessary along with implementation of border technologies to secure the Nation's borders." So this amendment does somewhat move the goal posts in the middle of the game, you might say.

The amendment ignores the fact that CBP can't absorb this unplanned increase. They are right this minute pulling out all the stops to hire before October another 760 Border Patrol agents as well as 250 mission support staff to ensure that agents are out patrolling and not sitting behind desks. This is not the time to burden the recruitment system with unrequested new agents, not to mention to impose unfunded costs for their vehicles and facilities and ID support.

Just a word, Madam Chairman, about the offsets. The amendment uses as an offset several management accounts, about 5 percent cuts in most of these areas. It doesn't seem so bad until you realize that when this bill came to the floor, we were already more than 10 percent below the administration's request in this account. The Chief Information Officer takes the largest cut. We are already \$39 million below the request for this office, and cuts here would undermine key efforts to improve information security and reduce risks at the Department's data centers. So cutting more funds now means less core support for Department oper-

ations, less oversight, more waste, and an even longer road to getting the DHS the American taxpayers deserve.

For all these reasons, Madam Chairman, I urge my colleagues to defeat this amendment.

Madam Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LEWIS).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. LEWIS of California. Madam Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

PART B AMENDMENT NO. 8 OFFERED BY MR. KING OF NEW YORK

Mr. KING of New York. Madam Chairwoman, I have an amendment at the desk that was made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 8 offered by Mr. KING of New York:

Page 2, line 9, after the dollar amount insert "(reduced by \$5,000,000)".

Page 2, line 18, after the dollar amount insert "(reduced by \$45,000,000)".

Page 58, line 15, after the dollar amount insert "(increased by \$50,000,000)".

The CHAIR. Pursuant to House Resolution 573, the gentleman from New York (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. KING of New York. Madam Chairman, I ask unanimous consent that Representative CLARKE be listed as cosponsor of this amendment.

The CHAIR. The Chair cannot entertain that request at this time.

Mr. KING of New York. Madam Chairman, I yield myself 1 minute.

I insert into the RECORD a letter dated June 4, 2009, to Chairman PRICE and Ranking Member ROGERS from virtually every law enforcement first responder head in New York, Connecticut, and New Jersey.

NEW YORK REGIONAL JOINT WORKING GROUP ON SECURING THE CITIES,

JUNE 4, 2009.

Subject: FY2010 Appropriations for Securing the Cities Program

Hon. DAVID E. PRICE,

*Chairman, Committee on Appropriations, Subcommittee on Homeland Security, Rayburn House Office Building, Washington, DC.*

Hon. HAROLD ROGERS,

*Ranking Member, Committee on Appropriations, Subcommittee on Homeland Security, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN PRICE AND RANKING MEMBER ROGERS: We are writing to urge you to include \$40 million to fund the Securing the Cities (STC) program in your markup of the FY2010 Department of Homeland Security appropriations bill. This funding would be equal to the FY2008 appropriation for the program.

Securing the Cities is a vital, federally funded effort to protect New York City from the threat of an improvised nuclear device or a radiological dispersal device (a "dirty bomb"). The program involves equipping many different agencies in New York, New Jersey, and Connecticut with state-of-the-art mobile radiation-detection equipment, training them in its proper use, and leveraging existing technology and infrastructure to deploy a permanent defensive radiation-detection ring around New York City.

The STC program is the only federal initiative designed specifically to protect a U.S. city from a radiological or nuclear terrorist attack, which President Obama has called, "the most immediate and extreme threat to global security." We never saw the program as a "pilot," as some have suggested, but as an operational model, developed to protect the city that suffered the most on September 11, 2001, and that continues to be at the top of the terrorist threat list.

Since the STC program was proposed by the Department of Homeland Security in 2006, we have:

- begun taking delivery of approximately 4,500 units of radiation-detection equipment;
- prepared to train all of our response personnel in the proper use of the equipment;
- conducted three full-scale exercises in which radioactive materials were intercepted by our agencies;
- developed detailed operational nuclear interdiction plans for the region;

- begun developing the fixed radiation-detection systems that will be installed on bridges and tunnels into New York City;

- and, begun to implement a situational awareness system that will ultimately allow us to track and swiftly interdict radiological threats anywhere in the region.

All of the money appropriated since FY2007 has been programmed, and most of it has been obligated. We expect to complete the purchase of our situational awareness system, developed with FY2007 funding, by the end of this year; we have begun taking delivery of radiation-detection equipment purchased with FY2008 funds; and, we have submitted our application for FY2009 funds. Additional funding is necessary to complete the final stages of development of the fixed radiation-detection system, which is on the verge of becoming operational, and to establish wireless connections among and between our mobile systems.

The STC program was designed as a joint federal, state, and local initiative with significant investments and commitments at all levels. Federal STC funding only pays for a fraction of the cost of the total program. For example, the STC program benefits from the absorption of manpower and operational costs by state and local agencies. STC also leverages major existing New York City investments, including the fiber-optic lines that will be run to New York City bridges and tunnels as part of the Lower Manhattan Security Initiative and New York City's wireless network (NYCWiN). The total cost of the STC program as seen by Congress does not account for these significant outlays at the state and local level.

Together, the STC partners represent three layers of government, three states, 60 counties, and over 80 law enforcement agencies. In our view, the STC program is an extraordinary example of interagency and intergovernmental collaboration, and one of the most successful DHS programs in existence. Zeroing this program out, as the President's FY2010 Budget has mistakenly proposed, would do great harm to the security of New York as well as the quality of our agencies' partnership with DHS. We understand the need for fiscal restraint in the current financial climate. However, this critical investment will ensure that law enforcement and

emergency response agencies have the resources needed to protect our nation's largest city from the most damaging terrorist threat imaginable.

For these reasons, we urge you to appropriate funding to the STC program at a level equal to the FY2008 appropriation—\$30 million for acquisitions and \$10 million for research, development, and operations. We welcome the opportunity to brief members of your staff on the progress of this program either in the New York region or in Washington, DC.

We appreciate your consideration of this request.

Sincerely,

Raymond W. Kelly, Commissioner, Police Department, City of New York;

Nicholas Scoppetta, Commissioner, Fire Department, City of New York;

Harry J. Corbitt, Superintendent, New York State Police.

Colonel Joseph R. Fuentes, Superintendent, New Jersey State Police;

Colonel Thomas Davoren, Deputy Commissioner, Connecticut State Police;

Lawrence W. Mulvey, Commissioner of Police, Nassau County Police Department;

Richard Dormer, Commissioner, Suffolk County Police Department;

William A. Morange, Deputy Executive Director, Metropolitan Transportation Authority;

Denise E. O'Donnell, Deputy Secretary for Public Safety, New York State/Commissioner, NYS Division of Criminal Justice;

Thomas G. Donlon, Director, New York State Office of Homeland Security;

James F. Kralik, Sheriff, Rockland County Sheriff's Office;

Thomas Belfiore, Commissioner-Sheriff, Westchester County Police Department;

Richard L. Cañas, Director, New Jersey Office of Homeland Security and Preparedness;

James M. Thomas, Commissioner, Connecticut Department of Emergency Management and Homeland Security;

Samuel J. Plumeri, Jr., Director of Public Safety/Superintendent of Police, Port Authority of New York and New Jersey;

Steven W. Lawitts, Acting Commissioner, Department of Environmental Protection, City of New York;

Thomas R. Frieden, Commissioner, Department of Health and Mental Hygiene, City of New York;

Joseph F. Bruno, Commissioner, Office of Emergency Management, City of New York and;

Janette Sadik-Khan, Commissioner, New York City Department of Transportation.

□ 1700

Madam Chairlady, the King-Clarke bipartisan amendment restores \$40 million for the Securing the Cities Initiative, a vital homeland security program which prevents terrorist attacks which are based on nuclear or radiological material, primarily in the form of dirty bombs. I should point out that a nearly identical amendment had the support of this House in 2007 by a majority of more than 2-1.

Securing the Cities is a networked ring of radiological detectors on highways, toll plazas, bridges, tunnels and waterways leading into and out of New York City. It is the only Department of Homeland Security program dedicated to protecting cities and surrounding regions against the nuclear threat of dirty bombs.

Madam Chair, this successful program is an operational model which

can be replicated in cities and suburbs throughout the country. The proposed cut in funding for Securing the Cities would seriously undermine further implementation of needed nuclear and radiological detection capability.

The WMD Commission, a bipartisan commission, warned in December of 2008 that nuclear and biological terrorism was not only a serious threat but a likely threat.

The CHAIR. The time of the gentleman has expired.

Mr. KING of New York. I reserve my time.

Mr. PRICE of North Carolina. Madam Chairwoman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I want to first commend my New York colleagues, particularly NITA LOWEY, JOSÉ SERRANO and STEVE ISRAEL, all on the Appropriations Committee, for promoting Securing the Cities and the work that it has made possible in their State. Indeed, their tireless advocacy for New York's regional security has resulted in notable increases in grant allocations to regional governments and first responders.

New York State homeland security grants rose from \$27 million in 2006 to \$112 million in 2009. That is a four-fold increase. And New York's Urban Area Security Initiative grants grew from \$124 million in 2006 to \$145 million in 2009. It remains the largest recipient of urban area funds.

I couldn't agree more that Securing the Cities is a valuable pilot program demonstrating how State and local Governments could develop, with Federal agencies, an architecture to prevent a nuclear or radiological attack on New York. But I must emphasize that Securing the Cities is a 3-year pilot project, and this period is over. DHS requested no 2010 program because it is already positioned to accomplish its goals as a pilot program. So what we have here today is, in effect, an earmark for New York.

The next steps are to conclude the program, assess the results, and identify candidates of future pilots, if any, outside of New York. Funding remains available for New York to continue this program well into 2010. About 84 percent of the 2009 funding and 10 percent of the 2008 funding are presently unobligated. Award decisions for these funds are pending with one quarter left in the fiscal year. DHS knows of no unfunded requirements for this program. Remaining balances will enable New York to transition from a pilot to an ongoing regional operation. And that is what needs to happen.

Adding money to continue a completed pilot is not the answer. New York surely does not want to be dependent on year-to-year appropriations amendments to continue this vital protective function. This needs to move to a sustainment mode, run by New York and its partner communities. It needs

to identify funding sources that can be used for this purpose, including these urban area security grants, of course, the Transit Security grants, and others. The New York area has received about \$1.4 billion through these grants since 2003 and can expect about \$298 million in new funding this year.

The amendment also earmarks \$10 million for new radiation portal monitors. But here again, there is no identified requirement for additional funding. The ability to put this to use in 2010 is highly questionable.

The amendment's offsets, \$5 million from the Office of the Secretary and Executive Management and \$45 million from the Under Secretary For Management, are particularly troubling. We are already well below the request in these areas. We have trimmed salary increases. We rejected new investments in departmental facilities. Cutting more funds will result in a longer road to getting the Department of Homeland Security the American taxpayers deserve.

So I appreciate the intention of this amendment. I certainly appreciate the achievements of the Securing the Cities program. We know that this is a vital program and that these protective functions are important. But for that very reason, we need to get away from an earmark, and get away from a pilot program, and put this on the sustainment mode.

It is in that spirit and for that reason that I ask my colleagues to oppose this amendment.

I reserve the balance of my time.

The CHAIR. The Committee will rise informally.

The Speaker pro tempore (Ms. CLARKE) assumed the chair.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

The Committee resumed its sitting.

Mr. KING of New York. Madam Chair, I recognize the gentlelady from New York, the cosponsor of the amendment, and a really zealous fighter on this issue, Ms. CLARKE, for 90 seconds.

Ms. CLARKE. Madam Chairman, I would like to thank Ranking Member KING for yielding. I want to urge Members of the House to support the King-Clarke amendment to the fiscal year 2010 Homeland Security Appropriations Act, H.R. 2892. Neither the President's budget request for fiscal year 2010 nor H.R. 2892 includes funding for the Securing the Cities Initiative. This initiative has created the department's Domestic Nuclear Detection Office, which is charged with directing the Nation's capability to detect and report